

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: : Chapter 13
: :
Miranda Tsang :
: :
Debtor : Bankruptcy No. 12-20703 JKF

**CHAPTER 13 STANDING TRUSTEE'S ANSWER TO
MOTION TO APPROVE LOAN MODIFICATION**

Now comes, William C. Miller, standing Chapter 13 standing trustee ("standing trustee"), and files his response to the Motion to Approve Loan Modification ("Motion"), as follows:

1. The standing trustee takes no position regarding the loan modification or the terms therein.
2. Debtor must file amended Schedules I and J that reflect the change in circumstances as a result of the loan modification. Specifically, debtor's monthly mortgage payment is being reduced or eliminated, which leaves debtor with additional disposable income over the remaining term of the plan.
3. Debtor shall ensure that the mortgagee files an amended proof of claim to reflect the change in mortgage arrearage, if any.
4. Also, debtor must file an amended plan that reflects the change in circumstances due to the loan modification, including an increase in the dividend to unsecured creditors since debtor will have additional disposable income.

WHEREFORE, the standing trustee respectfully requests that should the Court allow the Motion, it should also issue an order for such relief as is appropriate, including requiring debtor to:

- a. File amended Schedules I and J reflecting an increase in monthly disposable income as a result of the loan modification;
- b. Use best efforts to have the mortgagee amend their proof of claim; and
- c. File a motion to modify the confirmed plan which includes an amended plan reflecting the loan modification including the amount paid to date on the arrearage claim (if any), and increasing the dividend to unsecured creditors.

Respectfully submitted,

/s/ William C. Miller, Esquire

Date: May 8, 2017

William C. Miller, Esquire
Chapter 13 Standing Trustee

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:	:	Chapter 13
	:	
Miranda Tsang	:	
	:	
Debtor	:	Bankruptcy No. 12-20703 JKF

ORDER

And Now, this _____ day of _____, 2017, upon consideration of the Motion to Approve Loan modification, and any responses thereto, and a hearing held thereon, it is hereby

ORDERED, that the Motion is approved, and debtor is authorized to enter into the loan modification agreement, provided that debtor files, within fourteen days of the date this Order is entered, appropriate documents reflecting the modification, including without limitation, amended Schedules I and J, and a motion to modify the confirmed Chapter 13 plan, with a proposed modified plan attached as an exhibit. Debtor must also ensure that the mortgagee files an amended proof of claim reflecting the change in arrearage, if any, as a result of the loan modification.

BY THE COURT

HON. JEAN K. FITZSIMON
BANKRUPTCY JUDGE

CERTIFICATE OF SERVICE

AND NOW, comes William C. Miller, Esquire, Chapter 13 standing trustee, and certifies that he served the attached Chapter 13 Standing Trustee's Reply to Motion to Approve Loan Modification on the following parties

(i) at the address(es) listed below by first class mail:

Miranda Tsang
1617 Hampton Road
Havertown, PA 19083

(ii) And by electronic service only:

Shane H. Hobbs, Esq.
Masonic Building
4 South 2nd Street
Suite 303
Pottsville, PA 17901

George M. Conway, Esquire
U.S. Department of Justice
Office of the United States Trustee
Eastern District of Pennsylvania
833 Chestnut Street, Suite 500
Philadelphia, PA 19107

Date: May 8, 2017

/s/ William C. Miller
William C. Miller, Esquire
Chapter 13 Standing Trustee